

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 10-CV-274-WO-WWD**

BASF AGRO B.V., ARNHEM (NL),
WÄDENSWIL BRANCH, BAYER S.A.S.,
and MERIAL LIMITED,

Plaintiffs,

v.

CHEMINOVA, INC.,

Defendant.

**EXHIBITS (NOT FILED UNDER
SEAL)**

Attached are Exhibits 6 and 7 (Not Filed Under Seal) to the Memorandum of Law in Opposition to Defendant's Motion to Strike a Portion of the Expert Report and the Entire "Supplemental" Expert Report of Jeffrey Winkler and Preclude Testimony and Evidence.

**WOMBLE CARLYLE SANDRIDGE &
RICE, PLLC**

DATED: July 12, 2011.

/s/ Robert T. Numbers, II
Pressly M. Millen (NCSB No. 16178)
Robert T. Numbers, II (NCSB No. 34134)
WOMBLE CARLYLE SANDRIDGE & RICE, PLLC
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
pmillen@wcsr.com
rnumbers@wcsr.com
phone: (919) 755-2100
fax: (919) 755-2150

Attorneys for Plaintiffs

*BASF Agro B.V., Arnhem (NL), Wädenswil
Branch and Bayer S.A.S.*

Of Counsel:

Kenneth A. Gallo
Craig Benson
Kent Kemeny
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP
2001 K Street NW
Washington, DC 20006-1047
kgallo@paulweiss.com
cbenson@paulweiss.com
kkemeny@paulweiss.com
phone: (202) 223-7300
fax: (202) 223-7420

John E. Nathan
Catherine Nyarady
Kripa Raman
Brian P. Egan
Jayson L. Cohen
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
jnathan@paulweiss.com
cnyarady@paulweiss.com
kraman@paulweiss.com
began@paulweiss.com
jlcohen@paulweiss.com
phone: (212) 373-3000
fax: (212) 757-3990

Counsel for BASF Agro B.V., Arnhem (NL), Wädenswil Branch

Robert J. Koch
MILBANK, TWEED, HADLEY & MCCLOY LLP
1850 K Street, N.W., Suite 1100
Washington, DC 20006
rkoch@milbank.com
phone: (202) 835-7500

fax: (202) 835-7586

Counsel for Bayer S.A.S.

ALSTON & BIRD, LLP

/s/ Jitendra Malik

Jitendra Malik, Ph.D. (NCSB No. 32809)

ALSTON & BIRD, LLP

Suite 4000

101 South Tryon Street

Charlotte, NC 28280-4000

Tel.: (704) 444-1115

Fax.: (704) 444-1695

jitty.malik@alston.com

Attorney for Plaintiff

Merial Limited

Of Counsel:

Judy Jarecki-Black, Ph.D.

MERIAL LIMITED

3239 Satellite Blvd.

Duluth, GA 30096-4640

Tel.: (678) 638-3805

Fax: (678) 638-3350

judy.jarecki@merial.com

Frank G. Smith, III

John W. Cox, Ph.D.

Matthew W. Howell

ALSTON & BIRD, LLP

1201 West Peachtree Street

Atlanta, GA 30309-3424

Tel.: (404) 881-7000

Fax: (404) 881-7777

frank.smith@alston.com

john.cox@alston.com

matthew.howell@alston.com

Deepro R. Mukerjee

ALSTON & BIRD, LLP

90 Park Avenue

New York, NY 10016-1387

Tel.: (212) 210-9501

Fax: (212) 922-3881

deepro.mukerjee@alston.com

J. Patrick Elsevier, Ph.D.

JONES DAY

12265 El Camino Real, Suite 200

San Diego, CA 92130
Tel.: (858) 314-1200
Fax: (858) 314-1150
jpelsevier@jonesday.com

Counsel for Merial Limited

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants: Daniel Alan M. Ruley, aruley@belldavispitt.com, William K. Davis, wdavis@belldavispitt.com, Christopher G. Kelly, christopher.kelly@hklaw.com, Steven L. D'Alessandro, steven.dalessandro@hklaw.com, Robert J. Burns, robert.burns@hklaw.com, Joshua C. Krumholz, Joshua.krumholz@hklaw.com, Jitendra Malik, jmalik@alston.com, John Patrick Elsevier, jpelsevier@jonesday.com, Matthew W. Howell, matthew.howell@alston.com, Judy C. Jarecki-Black, jduy.jarecki@merial.com, and Frank G. Smith, frank.smith@alston.com.

This the 12th day of July, 2011.

/s/ Robert T. Numbers, II

Pressly M. Millen (NCSB No. 16178)
Robert T. Numbers, II (NCSB No. 34134)
WOMBLE CARLYLE SANDRIDGE & RICE, PLLC
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
Telephone: (919) 755-2100
Facsimile: (919) 755-2150
Email: pmillen@wcsr.com
Email: rnumbers@wcsr.com

Attorneys for Plaintiffs
BASF Agro B.V., Arnhem (NL), Wädenswil Branch,
Bayer S.A.S., and Merial Limited

Of Counsel:

Kenneth A. Gallo
Craig Benson
Kent Kemeny
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON, LLP
2001 K Street NW
Washington, DC 20006-1047
Telephone: (202) 223-7300
Facsimile: (202) 223-7420
Email: kgallo@paulweiss.com
cbenson@paulweiss.com
kkemeny@paulweiss.com

John Nathan
Catherine Nyarady
Kripa Raman
Brian Egan
Jayson L. Cohen
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON, LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
Email: jnathan@paulweiss.com
cnyarady@paulweiss.com
kraman@paulweiss.com
began@paulweiss.com
jlcohen@paulweiss.com

Of Counsel for BASF Agro B.V. , Arnhem (NL), Wädenswil Branch

Robert J. Koch
MILBANK, TWEED, HADLEY & MCCLOY LLP
1850 K Street, N.W., Suite 1100
Washington, DC 20006
Telephone: (202) 835-7500
Facsimile: (202) 835-7586
Email: rkoch@milbank.com

Of Counsel for Bayer S.A.S.